Meeting Notes
Health Information Technology Advisory Committee
Conditions and Maintenance of Certification Requirements Task Force
April 18, 2019, 9:30 a.m. – 10:30 a.m. ET
Virtual

The April 18, 2019, meeting of the Conditions and Maintenance of Certification Requirements Task Force (CMCTF) of the Health IT Advisory Committee (HITAC) was called to order at 9:30 a.m. ET by Lauren Richie, Designated Federal Officer, Office of the National Coordinator for Health IT (ONC).

Lauren Richie conducted roll call.

Roll Call

MEMBERS IN ATTENDANCE

Denise Webb, Co-Chair, Individual
Kensaku Kawamoto, Member, University of Utah Health
Leslie Lenert, Member, Medical University of South Carolina
Carolyn Petersen, Member, Individual
Sasha TerMaat, Member, Epic
John Travis, Member, Cerner

MEMBERS NOT IN ATTENDANCE

Raj Ratwani, Co-Chair, MedStar Health

ONC STAFF

Lauren Richie, Designated Federal Officer, Office of the National Coordinator for Health IT (ONC)
Kate Tipping, ONC Conditions of Maintenance of Certification Requirements Task Force Lead
Lauren Wu, ONC SME

Lauren Richie turned the meeting over to Denise Webb, co-chair.

Discussion of Recommendations

Denise Webb started the review of the recommendations where the task force left off during the last meeting.

Recommendation 21

Denise Webb noted that she switched the order of the items to make it read clearer. The task force agreed with the changes.

Recommendation 26

Sasha TerMaat provided a brief summary of how the task force got to where it did with this recommendation due to feedback received from Arien Malec.

There was a lot of discussion between the members regarding how to define the legal medical record, what should be excluded and is not appropriate to export. Each organization has their own interpretation of what constitutes the legal medical record. Each developer has to customize to each organization's needs which is not practical from a development perspective. The task force noted there will be different challenges encountered for the patient export versus research.

Updated recommendation: The CMC TF recommends ONC provide clarity in the final rule preamble around the scope of the EHI export in the 2015 Edition certification criteria. The TF recommends the EHI Export scope be limited to EHI collected and retained by the certified EHR technology and apply only to the EHI that is commonly understood to be part of the legal medical record. The CMC TF further recommends that health IT developers be required to provide a plain language definition of EHI typically included in the legal medical record held by their certified health IT module as part of their export documentation.

Recommendation 28

Ken Kawamoto expressed concern about audit logs because they are robust.

Sasha TerMaat noted there could be hardware storage concerns, but that will be up to the organization.

Updated recommendation: The CMC TF recommends ONC include audit log data for the EHI Export transitions between health IT systems use case (but not for the EHI Export patient use case due to privacy of health system staff) in the final rule preamble section IV.B.4.

Recommendation 30

Denise Webb noted that the recommendation impacts the regulatory text and added that refinement.

Recommendation 34

Denise Webb noted that the recommendation impacts the regulatory text and preamble and included that refinement.

Recommendation 25

The task force significantly edited the recommendation to help with Les Lenert's concerns with stifling innovation.

John Travis noted that if seeking certification self-developers stays on par with any other product. If not seeking certification, the self-developer would only be impacted by the information blocking criteria which would be more likely to stifle innovation.

Denise Webb noted that the definition of electronic health information is where innovation could be stifled and suggested that Les share his concern during the HITAC meeting.

Les Lenert was concerned that self-developers would need to be certified to participate in a federal program and it will put an unnecessary burden on them.

Les Lenert committed to putting a slide together to share his divergent opinion with the full HITAC.

Lauren Richie opened the lines for public comment.

Public Comment

There was no public comment.

Next Steps and Adjourn

Denise Webb will share a clean version of the recommendations, and if all members are in agreement, it will be sent to be distributed to the HITAC in preparation for the April 25, 2019 meeting.

Lauren Richie adjourned the meeting at 10:30 a.m. ET.